

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 11, 2006

Signature: \_\_\_\_\_

(George A. Xixis)

Docket No.: 102182-39  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:

Matthew J. During et al.

Application No.: 10/802,417

Confirmation No.: 4010

Filed: March 16, 2004

Art Unit: 1632

For: Glutamic Acid Decarboxylase (GAD) Based  
Delivery Systems

Examiner: Falk, Anne Marie

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Election/Restriction set forth in the Office Action mailed September 29, 2006. Claims 1-21 are pending in the Application.

**Part 1**

The Examiner has identified 6 "patentably distinct species" covering gene transfer vectors that could be used with the invention and has requested election of a single species.

Applicants traverse this requirement and state their belief that generic Claims 1 and 13 are patentable.

For purposes of speeding prosecution, Applicants hereby elect **Species A: Adenovirus Vectors.**

Part 2

The Examiner has further identified seven “patentably distinct” species of brain region and has required election of a single species.

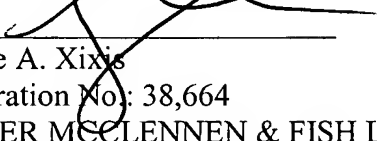
Applicants traverse this requirement and reiterate their belief that generic claim 1 and 13 are patentable.

For purposes of speeding prosecution, Applicants hereby elect Species B; Subthalamic Nucleus (STN).

Applicants invite the Examiner to call the undersigned if there are any questions regarding the above election.

Dated: December 11, 2006

Respectfully submitted,

By   
George A. Xixis  
Registration No.: 38,664  
NUTTER MCLENNEN & FISH LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, Massachusetts 02210-2604  
(617)439-2746  
(617) 310-9746 (FAX)  
Attorney for Applicants